

Ser. No. 10/031,077
Reply to Office Action of 8 July 2003
Atty Docket 117035-11

REMARKS

Certified Copy of Priority Document

The Examiner's acknowledgement of the priority document is noted.

Information Disclosure Statement

The Examiner's review of the Information Disclosure Statement is noted.

Drawings

The Examiner has not objected to the drawings, so it is believed that they are in order for printing the case if the claims are allowed as a result of this response.

Claim status

Claims 1-27 were pending in this matter on the date of the Office Action. Claims 1-3 and 16-19 are rejected, as discussed more fully below. No claim amendments are made, but claims 16, 17, and 24-27 are cancelled. Claims 4-15 and 20-27 are indicated as being allowable if put into independent form. A new independent claim 28 is presented.

35 USC §102 Rejections

Goodson (US 636,133)

Claims 1-3 and 16-19 stand rejected as being anticipated by U.S. Patent 636,133 to Goodson ("Goodson '133"). Applicant respectfully traverses this determination and asserts that the claims are allowable.

The Examiner's analysis is that Goodson '133 shows a bicycle anti-theft device including a separating means for dividing the steering column into two parts A, B, which are relatively fixed in one state and not fixed in a second state. A piece P is inserted in the column parts and aligns them in the first state and is removed from them in the second state.

Claim 1

As understood, the Examiner is taking the position that the pin P serves as the "separating means" required in claim 1. For this to be the case, then, the pin "separates the steering column into two parts." While it is admitted that a pin may serve the function of connecting two pieces, thereby being a "connection element," it is not understood how a pin could possibly "separate the steering column into two parts." For at least this reason, applicant asserts that the Examiner has not provided a prima facie case of anticipation of claim 1 by Goodson '133.

Claim 2

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The Examiner's analysis of why Goodson '133 anticipates claims 1-3 and 16-19 is recited almost verbatim above. Claim 2, as presented, describes specific limitations about the separating means (it "has a substantially reflection-symmetrical or point-symmetrical construction and on either side of the plane of symmetry has recesses and/or projections, which in the first state engage with complementary means constructed on the steering column parts and in so doing make a form-fit and/or frictional connection and in the second state are released from the complementary means") that are simply not addressed by the Examiner in her analysis. For the reason that claim 1 is allowable and also for the reason that the Examiner has not established a prima facie case of anticipation of claim 2 by Goodson '133, claim 2 is believed to be allowable.

Claim 18

The Examiner's analysis of why Goodson '133 anticipates claims 1-3 and 16-19 is recited almost verbatim above. Claim 18, as presented, depends from claim 1 and requires that "the separating means is a coupling piece." While a pin may be "a coupling piece", the applicant asserts that claim 18 is allowable for the same reason that claim 1 is allowable, that is, that the Examiner has not established that the pin cannot serve as a "separating means," so claim 18 is allowable as a proper dependent claims of an allowable base claim.

Claim 3

The Examiner's analysis of why Goodson '133 anticipates claims 1-3 and 16-19 is recited almost verbatim above. Claim 3 introduces a requirement that the "coupling piece" introduced in claim 18 "comprises a column piece, which in the first state is inserted between the steering column parts and aligns with them, and which in the second state is completely removed from the steering column parts." First, the Examiner has made no specific findings as to how this claim is anticipated by Goodson '133. Second, applicant asserts that the pin of Goodson '133 is not "inserted between the steering column parts," as it would be clear that a pin would be inserted "into or through" parts in order to join them. Third, claim 3 is allowable for the reasons that it is a proper dependent claim of claim 18 which is clearly allowable and that it is allowable as a proper dependent claim through claim 1, which is also believed to be allowable.

Claim 16

The Examiner's analysis of why Goodson '133 anticipates claims 1-3 and 16-19 is recited almost verbatim above. As Goodson '133 clearly teaches a bicycle with the requisite

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elements of the preamble of claim 16 and because the subject matter of Goodson '133 is a "theft guard," applicant admits that claim 16 as presented appears to be anticipated by Goodson '133, and so it has been cancelled.

Claim 17

The Examiner's analysis of why Goodson '133 anticipates claims 1-3 and 16-19 is recited almost verbatim above. As Goodson '133 clearly teaches a vehicle with the requisite elements of the preamble of claim 17 and because the subject matter of Goodson '133 is a "theft guard," applicant admits that claim 17 as presented appears to be anticipated by Goodson '133, and so it has been cancelled.

New claim 28

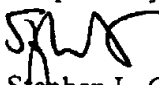
New claim 28 is in the same form as claim 1, but is directed to a "vehicle comprising a steering column for steering the vehicle" instead of "a bicycle." Since Goodson '133 does not anticipate claim 1, as argued above, applicant asserts that Goodson '133 does not anticipate claim 28 either.

In view of the foregoing arguments the applicant submits that the claims are in a condition to permit allowance. Therefore the applicant requests early and favorable disposition of this application.

Although the undersigned attorney is now resident in the Columbus, Ohio, office of Hahn Loeser + Parks LLP, any written correspondence in this matter (including faxes) should still be directed to the Akron, Ohio office address provided below.

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Respectfully submitted,


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